



BOBBY JINDAL, Governor

Office of Juvenile Justice

MARY L. LIVERS, Ph.D., MSW, Deputy Secretary

DOMESTIC VIOLENCE QUESTIONNAIRE

THE GUN CONTROL ACT OF 1968 WAS AMENDED TO PROHIBIT THE POSSESSION OR TRANSPORTATION OF A FIREARM BY ANYONE WHO HAS EVER BEEN CONVICTED OF A MISDEMEANOR CRIME OF DOMESTIC VIOLENCE.

As defined in the Gun Control Act, a "misdemeanor crime of domestic violence" means an offense that:

- 1) is a misdemeanor under Federal or State law; and
- 2) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

This definition includes all misdemeanors that involve the use of attempted use of physical force (e.g., simple assault, assault and battery) if the offense is committed by one of the defined parties. This is true whether or not the State statute or local ordinance specifically defines the assault against his or her spouse would be prohibited from receiving or possessing firearms or ammunition. Moreover, the prohibition applies to persons convicted of such misdemeanors at any time, even if the conviction occurred prior to the new law's effective date, September 30, 1996. As of the effective date of the new law, such a person may no longer possess a firearm or ammunition. However, with respect to all persons, a conviction would not be disabling if it has been expunged, set aside, pardoned, or the person has had his or her civil rights restored (if the law of the applicable jurisdiction provides for the loss of civil rights under such an offence) AND the person is not otherwise prohibited from possessing firearms or ammunition.

- ☐ I AM NOT, UNDER THE DEFINITION LISTED, RESTRICTED FROM POSSESSING A FIREARM UNDER THE MISDEMEANOR DOMESTIC VIOLENCE AMENDMENT OF THE GUN CONTROL ACT OF 1968.
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DATE _____

SIGNED _____